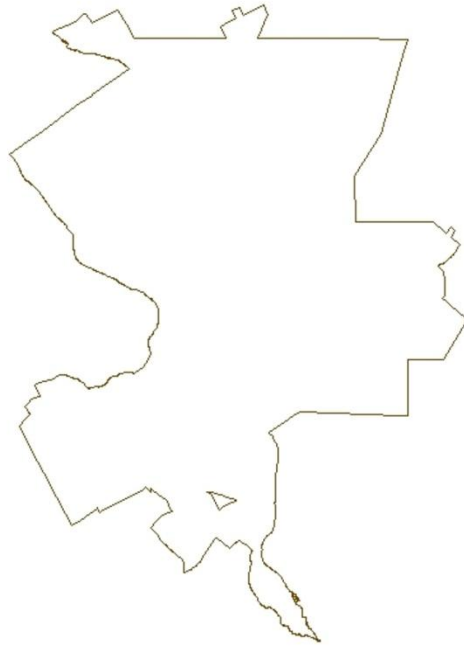


City of Reading  
PLANNING COMMISSION



2014  
ANNUAL REPORT



# CITY OF READING, PENNSYLVANIA

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PLANNING COMMISSION  
815 WASHINGTON STREET  
READING, PA 19601-3690  
(610) 655-6443

February 27, 2015

Francis G. Acosta, President  
City Council  
Room 2-24, City Hall  
815 Washington Street  
Reading, PA 19601-3690

Dear President and members of City Council:

In accord with Section 207 of the *Pennsylvania Municipalities Planning Code* (Act 247 of 1968, as reenacted and amended), the City of Reading Planning Commission respectfully submits its Annual Report for 2014. The Report outlines the Commission's activities throughout the year.

The Planning Commission will continue to administer the City's Subdivision and Land Development Ordinance, and those other functions delegated to it, in an effort to improve the quality of life in the City of Reading.

Sincerely,

Andrew W. Miller  
Planning Office



## **S U M M A R Y**

Section 207 of the Pennsylvania Municipalities Planning Code requires that the Planning Commission (the 'municipal planning agency') keep a full record of its business and submit an annual, written report of those activities to City Council (the 'governing body'), by March 1st of the following year.

The City of Reading Planning Commission held eleven (11) regular monthly business meetings in 2014. The meetings convened on the fourth Tuesdays of those months in Room 1-06 (the 'Penn Room') of City Hall. The scheduled January 28th meeting was cancelled for a lack of qualifying business. The complete record of the Commission's regular meeting activity is logged in the official written minutes, on file in the Planning Office and available on the City's website. Additionally, recordings of each meeting have been catalogued in digital audio (.wma) format.

This report was reviewed, and approved for its general content by the Planning Commission at its February 24, 2015 meeting (resolution no. 10-2015).

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Written reviews, identifying defects and the corrections required by the Subdivision and Land Development Ordinance (SLDO), as well as the suggestions and opinions of the Planning Office staff, were prepared by the Planning Office and mailed (or e-mailed, whenever such addresses were available) in response to all qualified applications for subdivision and/or land development. Certified copies of approved and recorded plans are on-file in the Planning Office. Scanned images of the same are available on-line, through the Berks County Recorder of Deeds Office website.

## **S U B D I V I S I O N   A N D   L A N D   D E V E L O P M E N T**

The Planning Commission's primary role continues to be the administration and enforcement of the City's Subdivision and Land Development Ordinance (Chapter 515 of the 'Codified Ordinances'). What follows is a list and brief summary of the proposals brought before the Commission in 2014, organized first by category, then chronologically. Only those proposals having satisfied the preliminary-plan application requirements, at a minimum, have been included in the narrative. For an exhaustive listing of all business considered by the Commission, including proposals in the 'sketch' phase and any since withdrawn, see the '2014 Activity Summary', attached, and/or the meeting minutes.

### **COMMERCIAL & INDUSTRIAL**

#### **Mimmo's Restaurant Additions**

First presented as a land development plan at the July 22nd meeting, this plan, for a combined 2445 square feet of additions to the existing 4745-square-foot Mimmo's Ristorante at 290 Morgantown Road, included its connection to the 1345-square-foot neighboring residence at 15 Prospect Avenue and annexation of the two parcels. It was tabled July 22nd, and again September 23rd with a one-month extension, before being granted final approval at the October 28th meeting (resolution no. 34-2014). Some of the delay involved a highway-occupancy application to the Pennsylvania Department of Transportation (PennDOT), for the driveways and utility connections in Morgantown Road (SR0010). The expansion of the dining areas could accommodate over 100 additional seats and as many as four new employees, where currently are 130 seats and 17 employees. The total required off-street parking provision was calculated at 79 spaces, and 83 were proposed. The applicant intended to lease the main level of the ranch-style house, reserving the basement as the restaurant's office and storage space.

The plan also represented another step toward resolving the unpermitted construction of an enclosed corridor between the home and the restaurant, in 2005, across the parcel boundaries and across the residential and commercial zoning districts. Beginning with impervious cover, rear-yard setback, off-street parking, buffering and screening variances (Appeal No. 1999-20, May 12, 1999), the Zoning Hearing Board approved an outside seating area/patio (Permit No. 1999-138). On March 4, 2000, the Zoning Administrator permitted a roof to be constructed over the patio (Permit No. 2000-101). Later, the Hearing Board denied the construction of a corridor/tunnel enclosure between the house and the restaurant (Appeal No. 2003-17, July 9, 2003), and associated variances from the required rear-yard setback and 'limit of one principal use' regulations. That denial was apparently never

appealed any further, and the applicant began to pursue an alternate process for an ordinance amendment/map change. A November 12, 2003 communication from the Planning Office detailed some procedural concerns, and the various routes of appealing zoning decisions and/or challenging the Zoning Ordinance itself (e.g. map change, variance and curative amendment). The Planning Commission expressed its concerns regarding impacts to the residential neighborhood, the applicant's lack of specificity in the development plan, and the possible uses and complications under future ownerships, and recommended denying the rezoning (March 9, 2004). The County Planning Commission's review (March 11, 2004) only recommended sufficient screening and buffering between the business and residential activity, and declared the map change consistent with the County comprehensive plan. The Zoning Administrator recommended denying the map change, cautioning of potential future uses and making decisions based on individual business interests (May 11, 2004, with two letters attached from neighbors expressing opposition). At some point, following a May 14, 2004 public hearing, where three neighbors spoke in favor of the project, and two 'committee-of-the-whole' Council meetings, where alternative procedures were discussed, that petition was apparently withdrawn (and with it, Bill No. 27-2004) in favor of another consideration by the Hearing Board. The Hearing Board then granted permission to use the basement of the house as an office for the restaurant (Appeal No. 2004-26, August 11, 2004, and Permit No. 2013-842, issued years later on May 28, 2013 upon finding the incomplete permit in the file).

Upon the discovery of an enclosed corridor, the Zoning Administrator issued stop-work orders (June 22, 2006 and June 29, 2006). In response to a subsequent appeal of that action, City Council intervened, urging the Hearing Board to deny the appeal (their Resolution No. 91-2006, August 14, 2006), due to the violations of the Hearing Board's previous denial, and asked that the Zoning Administrator and Hearing Board take all steps necessary to enforce the stop-work order and revoke the business permit. The Hearing Board denied the appeal (Appeal No. 2006-66, September 13, 2006), upholding the Administrator's June enforcement action. On December 8, 2006, a new Zoning Administrator issued a letter deeming the violations corrected. Having later determined that parts of the unauthorized construction still remained, another stop-work order was issued January 23, 2007. On appeal, the Hearing Board again upheld the Administrator's enforcement action (Appeal No. 2007-09, April 11, 2007), noting violations of the rear- and side-yard setbacks and requiring the removal of the walls, excepting that portion functioning as a retaining wall. On April 13, 2007, a new Administrator followed up with an order to restore the permitted condition. On May 3, 2007, the matter was appealed, by Attorney Jeffrey J. Howell, to the Berks County Court of Common Pleas (Docket No. 07-4321, assigned to Judge Jeffrey L. Schmehl). On August 22, 2007, the City Solicitor petitioned to intervene. On August 31, 2009, Judge Jeffrey K. Sprecher reversed the Hearing Board's decision, directing it to issue a variance based on the Administrator's December 8, 2006 letter.

A ten-space off-street-parking expansion was approved and permitted on November 10, 2010 (Permit No. 2010-1567). On December 22, 2010, having found 22 additional spaces, the Zoning Office issued an enforcement letter.

On October 31, 2013, the Bruttos again petitioned City Council for a zoning map change. A required 'neighborhood meeting' had already been held September 5, 2013 at the petitioner attorney's Wyomissing office (Salvatore Folino). The Planning Commission recommended the map change be denied, based on the similar circumstances to the 2004 consideration and the perception of spot zoning (November 26, 2013, resolution no. 38-2013). The County Planning Commission's review (December 30, 2013) found an error in the application materials, but otherwise offered 'no adverse comments regarding the zoning expansion'. Their follow-up review (March 6, 2014) made only technical comments on the proposed ordinance. On April 14, 2014, having held the required public hearing on April 1st, City Council unanimously enacted the map change (Bill No. 36-2014 and Resolution No. 52-2014), rezoning 15 Prospect Avenue from Residential 2 (R2) to Commercial Highway (CH) and giving way to the land development application.

The approved plan has yet to be recorded. On February 13, and 23, 2015, the design engineer emailed revisions and some associated attachments, for consideration in advance of an anticipated record plan. At the February 24, 2015 meeting, the Planning Commission acted to reaffirm their October 2014 approval (resolution no. 12-2015).

*developed by: Domenico & Lucia Brutto... designed by: Van Cleef Engineering Associates LLC*

### **Reading Overhead Door-Proposed Storage Building**

First presented at the August 26th meeting, this plan, for a 3360-square-foot storage building, was granted final approval on September 23rd (resolution no. 27-2014). It was proposed as an unconditioned building, with enough electric service for lighting, for the shelter of vehicles and other material currently stored and visible outside. Situate within the bounds of 919 Delta Avenue, the plan included the proposed annexation of the three adjacent parcels known as 901 Delta Avenue, 911 Delta Avenue and 2308 Kutztown Road, the last in Muhlenberg Township. Leaving it apart from the other three was discussed, for the simplified jurisdiction and taxation issues, since the parcel and municipal boundaries appeared to be more-or-less coincident. The approval included a waiver from any

additional sidewalk, considering the unique characteristics of Kutztown Road in the area of an elevated section of the Warren Street Bypass (PA12) and since much of the frontage lacking sidewalk lay in the Township. A Letter of Map Amendment (LOMA), by the Federal Emergency Management Agency (FEMA), was required to resolve floodplain issues from Bernhart Creek. A more-formal easement was provided for the City's continued access to the stormwater infrastructure at the rear of the property. The Zoning Hearing Board had previously granted a variance permitting the expansion of this 'nonconforming use' in a residential zoning district (Appeal No. 2014-01, April 14th). The plan has yet to be recorded, and has already been reaffirmed once (resolution no. 47-2014, December, 23rd). According to the signing statements, Muhlenberg Township's Planning Commission reviewed the plans September 17th, and recommended an approval. Muhlenberg's Board of Commissioners reviewed it, and granted that approval October 20th. The signed and sealed revisions were delivered to the City on January 16, 2015. The Commission endorsed the record plan at their February 24, 2015 meeting.

*developed by:* Overhead Door Co. of Reading... *designed by:* Forino Company LP

### **Jet Set Restaurant Parking Area**

This plan, for a 28-space surface parking lot on the 0.2 acre between 109 Peach Street and 116 South 9th Street, has been covered in the annual reports since 2011. It was reviewed and tabled at the February 25th meeting, still lacking the highway-occupancy permit from the Pennsylvania Department of Transportation (PennDOT) for the already-constructed driveways on South 9th Street (SR2007). As necessary to keep the plan active, 90-day extensions of the Pennsylvania Municipalities Planning Code's deadline were provided March 25th, June 24th, September 23rd and, most recently, December 23rd. The matter was further complicated by the owner's unauthorized painting of curbs and theft of street signs on August 22nd. The PennDOT approval came on November 25th. The plan was again tabled on December 23rd, pending clarification on the extent of the parcel consolidation and some new ownership/easement issues concerning the additional parking shown at 124 and 126 South 9th Street. Not a part of the original plan, the 124 and 126 parcels were added to the scope by the PennDOT review and permitting of the driveways. The plan is nearly complete, and was finally granted a conditional approval at the February 24, 2015 meeting (resolution no. 8-2015), 3 years, 7 months and 10 days after its initial submission. The plan approval and improvements should fulfill the conditions of the Zoning Hearing Board's July 2011 decision, and others since, approving the adjacent restaurant at 118 South 9th Street (Appeal No. 2011-27). The restaurant/club had continued to operate throughout, using the subject parcels to serve its parking needs even in their unfinished condition.

*developed by:* Jet Set Restaurant LLC... *designed by:* DH Enterprises Inc.

## **RESIDENTIAL**

### **Homes at Riverside**

First reviewed at the April 22nd meeting, as a sketch plan, it proposed a 47-unit-townhouse development and a 2413-square-foot community center on a 76,320-square-foot parcel at 1001 Weiser Street. It was withdrawn from the May 27th and June 24th agenda for revisions, granted a 45-day extension July 22nd and another 30-day extension September 23rd, before gaining preliminary approval on October 28th (resolution no. 35-2014). The final plan review reached into the new year, resolving some concerns of the Public Works Department regarding stormwater management and accessibility, and was granted the final approval at the February 24, 2015 meeting (resolution no. 6-2015). The developer intends 23 two-bedroom units, at 1180 square feet each, 23 three-bedroom units, at 1545 square feet each, with the 47th unit being a superintendent's residence on the second floor of the community center. The project will be financed by contributions from the Pennsylvania Housing Finance Agency (PHFA), commitments from the City and County, and some conventional loans. The site is covered by Keystone Opportunity Zone (KOZ) and Local Economic Revitalization Tax Assistance (LERTA) designations. The units will be leased to tenants with incomes up to 60 percent of the area's median. The Pennsylvania Department of Environmental Protection (PADEP) had already cleared the environmental constraints as part of a larger consent decree covering the other formerly-Dana Corporation properties. The Zoning Hearing Board granted variances (Appeal No. 2014-12, October 8th) resolving the density and the off-street parking issues.

*developed by:* HAR Associates LP... *designed by:* Ludgate Engineering Corporation

### **120 & 122 Belvedere Avenue**

First presented, and only reviewed publically at the July 22nd meeting, this plan for two semi-detached dwelling units at 120 and 122 Belvedere Avenue was granted final approval (resolution no. 16-2014). The presentation was withdrawn from the May 27th and June 24th agenda, for revision, following the Planning Office review. The vacant lots were already separate parcels (from the original 1907 plan of 'Millmont') and sized adequately for the homes,

obviating the need for a 'subdivision'. And, because of its scope, the plan was submitted first as a final plan, according to the terms of the Subdivision and Land Development Ordinance (SLDO). The plan was recorded with the Berks County Recorder of Deeds on September 17th (Instrument No. 2014030502). Building permits were issued in October, and the site is presently under construction. Stop-work orders were issued February 11, 2015, for the contractor's neglect to schedule required inspections. The homes are intended for 'fee simple' ownership.

*developed by:* Crestmont Heritage LP... *designed by:* McCarthy Engineering Associates Inc.

## **INSTITUTIONAL & UTILITY**

### **MDJ 23-3-09 District Justice Office**

First reviewed at the March 25th meeting, as a sketch plan, the final version was tabled on April 22nd, before being approved May 27th (resolution no. 7-2014). It was soon thereafter *withdrawn*, on June 9th, when the County sought another direction based on the anticipated costs. It had proposed a 28,266-square-foot subdivision from that parcel known as 1722 North 10th Street, for a 2725-square-foot magisterial district justice office and 17 off-street parking spaces. The project was part of the first phase in an effort to standardize the facilities and lease arrangements for the County's 17 district courts, five of which are located within the City, in hopes of a realized savings. The North 10th Street proposal was being packaged for bidding with sites in Bern Township and Colebrookdale Township. The approving motion included a partial waiver of the sidewalk requirement. The plan was never recorded, being withdrawn even before the 'record sets' were prepared. The 'Development Corporation' is an affiliate of the Berks County Redevelopment Authority, established to give the Authority greater flexibility in its financing arrangements and interaction with other agencies.

*developed by:* Berks County Nonprofit Development Corporation... *designed by:* Stackhouse Bensinger Inc.

### **Fritz Island WWTP Facilities Upgrade Project**

First presented at the August 26th meeting, this plan detailed the major parts of the long-awaited upgrades and modernizations of the liquid and solid treatment and handling systems in the City's Fritz Island Wastewater Treatment Plant at 899 Morgantown Road. The improvements will satisfy the terms of a consent decree between the City, the United States Department of Justice (USDOJ), the United States Environmental Protection Agency (USEPA) and the Pennsylvania Department of Environmental Protection (PADEP), first entered in 2004 (signed by a federal judge November 7, 2005) with an original deadline of November 2012. The deadline was subsequently extended to February 28, 2018, and limited to the renovations of the Treatment Plant itself. The collection system will be addressed separately, and under PADEP's supervision. Other associated contracts were already underway in support and preparation of the 'liquids' and 'solids' systems, and continue to progress. Among them are a new 42-inch force main connecting the 6th & Canal Pump Station to the Treatment Plant, improvements to the Pump Station itself, and the rehabilitation of the secondary anaerobic digesters at the Treatment Plant. The 'Upgrade Project' plan required one-month extensions on October 28th and November 25th, while waiting on other required permitting. The Planning Commission granted its final approval on December 23rd (resolution no. 41-2014), conditioned on their receipt of the several other permits unique to wastewater treatment operations. The Commission felt it appropriate to grant the verbal approval once the permits typically required of land development plans were obtained, and postpone the plan's endorsement and recording until the remaining, specific permits were issued (*e.g.* the environmental oversight and permitting, related to air and water quality, by PADEP, the Army Corp of Engineers, the Delaware River Basin Commission, *et cetera*). In December 2015, the Zoning Office determined a special exception hearing was required (Appeal No. 2015-04), based on the proposed location of the outfall infrastructure within the regulated floodplain. The plan has yet to be recorded, pending the outcome of the zoning hearing and the other outstanding permits. The plan also incorporates new administrative, laboratory and maintenance buildings that had been separately planned for another, nearby property (reviewed by the Commission in August 2009) but never pursued.

*developed by:* City of Reading... *designed by:* Rummel Klepper & Kahl LLP

### **Pendora Park Olivet Boys & Girls Club**

First presented at the September 23rd meeting, this plan for a 16,104-square-foot recreation center at 1801 Forrest Street (the eastern side of Pendora Park, fronting South 19th Street) is still under review. The new facility would establish an Olivet Club presence in an area deemed underserved and out of the reach of their other facilities. A 60-day extension was granted November 25th. The history of the plan begins with City Council's Resolution No. 51-2011 (March 28, 2011), supporting the project conceptually, and its Bill No. 44-2011 (December 27, 2011) that authorized a lease. In the meantime, Olivet conducted a fundraising campaign, and sought the zoning approval.

There were two appeals to the Zoning Hearing Board: the first for the use (Appeal No. 2011-31, rendered October 12, 2011), and another for dimensional and design variances (Appeal No. 2014-07, rendered September 10th). The building will provide program/classroom space, and includes a gymnasium. Among the complications are the lack of a defined (metes and bounds) lease area, and the specific floodplain/inundation characteristics associated with the adjacent 'Rose Valley' creek and stormwater conduit, when considered in the context of the aging Egelman Dam upstream. Other site-specific concerns include a necessary water main relocation satisfying the Reading Area Water Authority (RAWA), a long-run sanitary sewer lateral connecting to a main in Forrest Street, stormwater detention and conveyance planning, and the accessibility/egress issues around the building's perimeter. Several large trees will be removed, and an existing pavilion will be relocated. These issues are in varying stages of resolution, and a preliminary approval was granted at the February 24, 2015 meeting (resolution no. 7-2015).

*developed by: Olivet Boys & Girls Club of Reading & Berks County... designed by: Impact Engineering Group Inc.*

### **Modifications**

Section 512.1.d of the Pennsylvania Municipalities Planning Code requires the Planning Commission to keep a written record of its action on any requests for modification/waiver of the Subdivision and Land Development Ordinance (SLDO). Those waivers formally granted are summarized in this report, but are further explained and notated in the meeting minutes and on the title sheets of the record plans themselves.

## **ZONING**

### **Conditional Uses**

Sections 603.c.2 of the Pennsylvania Municipalities Planning Code and 600-301.B.3 of the City's Zoning Ordinance give the Planning Commission an opportunity to comment on any applications for 'conditional uses' as classified by the Zoning Ordinance. There were nine (9) such applications reviewed in 2014.

#### **1233 Green Street (conversion)**

On April 22nd, the Planning Commission recommended City Council's approval (resolution no. 5-2014) of this application to convert a first-floor, formerly-commercial space into a third, two-bedroom dwelling unit, albeit with concerns about the lack of any off-street parking. Council held its hearing May 6th, and ultimately approved the conversion (their Resolution No. 68-2014, May 27th), conditioned on a satisfactory building-code review and inspection, and an off-street parking provision for 'any occupant who has a vehicle'.

#### **246 North 9th Street (temporary shelter)**

On August 26th, the Planning Commission recommended City Council's approval (resolution no. 23-2014) of this application for a temporary (homeless) shelter. Operated by City Light Ministries, an outreach of the Spring Valley Church of God, the issue began with a February 22nd shut down by the building inspectors for unresolved building-code violations. The subsequent and sympathetic media coverage garnered the donation of building materials, and design and construction services from several sources, and included the installation of a required sprinkler system. Council held its hearing September 3rd, and ultimately approved the temporary shelter (their Resolution No. 101-2014, September 22nd), conditioned on its compliance with the building codes, an occupancy limited to 40 persons, with separate male and female sleeping quarters, and none in the basement. Those served would be required to vacate the premises by 9a each morning.

#### **321 North 8th Street (conversion)**

On September 23rd, the Planning Commission recommended that City Council deny the requested third unit (resolution no. 28-2014), based on the deficiency in the floor area required by the Zoning Ordinance. Council held its hearing October 14th, and ultimately approved the third unit (their Resolution No. 109-2014, October 27th), based on documentation indicating the three-unit representation of the property at the time of its purchase, and the fact that the Zoning Ordinance, at that time, permitted efficiency apartments. The conditions of the approval included building-code compliance, off-street parking for 'any occupant who has a vehicle', and the relocation of a dumpster to an out-of-view or screened location.

#### **139 South 10th Street (conversion)**

On September 23rd, the Planning Commission recommended that City Council deny the second unit (resolution no. 29-2014), limiting the property to a single-unit dwelling, based on the lack of any evidence that the second unit was legally permitted (*i.e.* permits and inspections, prior to the applicant's ownership). Council held its hearing October

14th, and ultimately denied the second unit (their Resolution No. 110-2014, October 27th), with an order to ‘de-convert’ the building within six months and secure off-street parking for the remaining dwelling.

#### 714 Franklin Street (boarding house)

On September 23rd, the Planning Commission recommended City Council’s denial of this application for one unit on the first floor and three boarding rooms on the second and third floors (resolution no. 30-2014), based on a history of inspections, permitting and adjudications. It had been an insurance broker’s office. Council held its hearing October 14th, and ultimately denied the boarding house arrangement (their Resolution No. 111-2014, October 27th), with an order to ‘de-convert’ the building to two units within six months, as permitted in a 2012 permit (Control No. 2012-203). The decision concluded a lengthy dispute beginning with a zoning application first denied in 1986, and signaled the City’s intent to revoke the applicant’s business license if its conditions aren’t met by an April 27, 2015 deadline and inspection.

#### 1537 Perkiomen Avenue (conversion)

On December 23rd, the Planning Commission recommended that City Council deny the third unit (resolution no. 43-2014), based on a lack of evidence for a legal third unit, delinquent housing fees and ‘quality-of-life’ fines, and the deficiencies in floor area and available off-street parking. Council held its hearing January 5, 2015, and ultimately denied the third unit (their Resolution No. 13-2015, January 26, 2015), and ordered the building’s de-conversion to two units within six months, in accord with a zoning permit dating from 1969.

#### 922A Franklin Street (conversion)

On December 23rd, the Planning Commission recommended that City Council deny the second and third units (resolution no. 44-2014), based on the deficient square footage and its lack of permitting history. The property uses a mailing address of ‘924 Franklin Street’, and had previously included commercial uses. The applicant offered his 108 Orange Street property, neighboring to the south, for development of the five required off-street parking spaces. Council held its hearing January 5, 2015, and ultimately denied the two additional units (their Resolution No. 14-2015, January 26, 2015), and ordered the building’s de-conversion to a single residential unit and a single commercial unit within six months, as it had been permitted in 1994.

#### 1141 North 9th Street (conversion)

On December 23rd, the Planning Commission recommended that City Council base its decision on the record of housing fees paid, and the Zoning Ordinance’s regulation of efficiency apartments at the time the property was purchased (resolution no. 45-2014). The limited information available and ambiguity in the timing of its conversion, made the Commission hesitant to take a firm position where it seemed a reasonable effort at compliance had been made. Council held its hearing January 20, 2015, and ultimately approved the third unit (their Resolution No. 16-2015, January 26, 2015), waiving the requirement for additional off-street parking.

#### 231 South 4th Street (conversion)

On December 23rd, the Planning Commission recommended City Council’s approval of the three-unit arrangement (resolution no. 46-2014), based on the rental-housing documentation submitted in 2008, and the then ‘administrative hearing officer’s’ approval. The owners neglected to secure the physical permit, and continued paying housing fees on a single-unit basis. Council held its hearing January 6, 2015, and ultimately approved the two additional units (their Resolution No. 15-2015, January 26, 2015), conditioned on its building-code compliance, the payment of the applicable rental-housing fees for the years 2006 through 2010, and the installation of a fourth electric meter covering the common areas of the property.

### **Zoning Ordinance Amendments / Zoning Map Changes**

Section 609.c of the Pennsylvania Municipalities Planning Code gives the Planning Commission a 30-day period in which to comment on proposed zoning ordinance amendments and/or map changes. There were two (2) such proposals considered by the Commission during 2014.

#### proposed ‘alternative-energy’ zoning ordinance amendment

On May 27th, the Planning Commission considered the draft of a proposed amendment to regulate the installation of alternative energy systems, such as solar, wind, water, geothermal and wood-fueled energy sources. A number of specific edits were suggested for clarification of meaning and potential conflicts with other regulations (resolution no. 8-2014). The draft ordinance was never introduced to City Council, advertised or *heard*. The Environmental



Advisory Council reworked the draft based on the Commission's comments, and those of other parties having reviewed it, and presented it again at the January 27, 2015 meeting. Additional revisions are anticipated.

#### proposed zoning ordinance restricting private parking in the Commercial Core

On July 22nd, the Planning Commission considered an amendment proffered by the Reading Parking Authority which would restrict private parking as a permitted 'principal use' in the Commercial Core, but with exceptions for on-site parking provided to serve (accessory to) other permitted uses. Their intent, to protect the Authority's interest and position in providing and leasing parking in the central business district, would clarify ambiguous language in an earlier Zoning Ordinance. The Commission recalled past scenarios of confusion and the inconsistent application of regulations long thought to intend the same. The Commission wondered if the current Zoning Ordinance didn't adequately address the issue, and advised that the City's Law Department compare the language, and recommend specific clarifications where they deemed necessary (resolution no. 19-2014). Some members thought the policy could be achieved with simpler language. It was introduced at Council's July 28th meeting (Bill No. 63-2014), and given a public hearing August 12th. Toward the end of the year the Authority asked that it be withdrawn, and City Council did so, formally, at its December 22nd meeting.

## **REDEVELOPMENT**

The Planning Commission took no official actions related to the activities of either the Reading Redevelopment Authority or the Blighted Property Review Committee in 2014.

## **COMPREHENSIVE PLANNING**

Section 303 of the Pennsylvania Municipalities Planning Code requires the Planning Commission to review certain public actions as they relate to policies set forth in its Comprehensive Plan. The following entries detail the extent to which such review opportunities were given in 2014.

### **STREETS & PUBLIC GROUNDS** per Section 303.a.1

#### planned renovations and repairs of the Schlegel Park Pool

On June 24th, the Planning Commission considered a request from the City's Grants Coordinator for a letter of support to be included in a grant application for the 'Schlegel Park Pool-Phase II Rehabilitation', which involved the removal and replacement of the wall, deck, and gutter, and other site design services at the City's one remaining public swimming pool. The application requested \$250,000, from the Pennsylvania Department of Community and Economic Development's (DCED) 'Commonwealth Financial Authority Greenways, Trails and Recreation Program', toward an expected total cost of \$300,000. The required match of \$50,000 would come from the City's Community Development Block Grant (CDBG) funds. The Commission offered its support (resolution no. 13-2014). The DCED grant was not awarded. The CDBG funds were approved, and are being directed to address some more-immediate problems, including tile repairs and leaks in the baby pool.

#### petition to vacate St. George Street (300 block)

On June 24th, the Planning Commission considered a petition from homeowners in the 300 block of St. Bernardine Street and the 600 block of Greenway Terrace to vacate this one remaining and unopened block of St. George Street. From the City's topographical map, it appeared to be a segment stranded by prior vacating actions in either direction. The one concern was its position, along and adjacent to Norfolk Southern's 'beltline' railroad, and the effect of the vacating on the expected apportioning of the vacated halves (*i.e.* whether the Railway would accept *their* half, waive their claim to it, or leave a 'no-mans-land' if not formally addressed). The varying width of the railroad claim was another potential complication. The Commission offered its tentative support, based on answers to those questions (resolution no. 14-2014). The Public Works Department never responded, and City Council took no further action.

#### petition for a stop sign at the intersection of West Greenwich and Tulpehocken Street

On July 22nd, the Planning Commission considered a citizens' petition for a four-way stop at this intersection, as a measure to control speeding traffic. Somewhat confused by the presentation of an issue rarely considered by the Commission, they recommended allowing the traffic engineers to study and determine 'warrants', and the proper

response to the petition (resolution no. 20-2014). City Council ultimately approved the installation at its December 22nd meeting (Bill No. 106-2014).

#### Schuylkill River Trail alignment, the Riverfront Drive to Buttonwood Street gap

On July 22nd, the Planning Commission reviewed several conceptual options to establish an *official* connection of the Schuylkill River Trail – also known as the Thun Trail, or Reading Greenway – between the Reading Area Community College and the Buttonwood Street overpass. It has long been traveled, across Norfolk Southern Corporation’s property, and defined only by the beaten path. The terms and conditions of a 1978 agreement with the previous owner, Consolidated Rail Corporation (Conrail), were never fulfilled, and trespass and liability concerns kept the Schuylkill River Greenway Association from defining it as the route. They and the Berks Conservancy contracted Traffic Planning and Design Inc. to develop a plan to close the ‘gap’. Several options for a ‘shared’ River Road design were presented. Complicating the matter was the College’s resistance to hosting the Trail on its campus, and its own planned alterations to Front Street. The Commission offered its support for the concept (resolution no. 21-2014), expecting an opportunity to review a more-specific plan in the future. The Greenway Association and Conservancy had requested the input in their pursuit of further support and funding. The College offered its own letter of support. The traffic engineers completed their study, and estimated a \$1.8 million cost for the approximately half-mile connection. The consideration now turns toward negotiating the division of costs and responsibilities.

#### **PUBLIC STRUCTURES** per Section 303.a.2

##### fate of the ‘Reading Downtown Station (Post Office)’, 51 North 5th Street

On February 25th, on a referral from the Historic Preservation Office, the Planning Commission considered the pending closure of this post office located in the Callowhill Historic District. Their chief concern, like that of the Preservation Specialist, was the protection of the historically-significant elements on the exterior. They recognized the possible limitations on its reuse, given the layout of the existing building. The Commission, without a formal action or vote, asked that its concerns be incorporated into the intended response from the Preservation Office. Stake-holding parties – the City, the Pennsylvania Historical and Museum Commission (PHMC) and the Berks County Planning Commission – concurred with the United States Postal Service’s (USPS) finding of ‘no historic properties adversely affected’, conditioned on the attachment of a preservation covenant to be recorded with the deed whenever the Post Office is transferred out of federal ownership, in order to protect the structure’s historical integrity in perpetuity. In its review of the covenant, the Preservation Office requested that the wrought-iron railing surrounding a large portion of the building be included in the proposed covenant’s list of ‘historic, character-defining features’. And it was updated accordingly. In their last written correspondence to the USPS, dated August 26, 2014, the PHMC requested the City’s assistance in providing notification of any future local reviews involving the Post Office. To date, the Reading Downtown Station has yet to be listed for sale by the USPS.

#### **ORDINANCE AMENDMENTS & CAPITAL IMPROVEMENTS** per Sections 303.a.3 and 609.c

Refer to the “Zoning Ordinance Amendments/Zoning Map Changes” section, under the ZONING heading. No capital improvements budget was presented to the Planning Commission in 2014.

#### **PUBLIC WATER & SEWER INFRASTRUCTURE** per Section 303.a.4

Other than the overall plan for the ‘Fritz Island WWTP Facilities Upgrade Project’, classified as a *land development* and detailed elsewhere, no other water or sewer projects were presented to the Planning Commission for ‘comprehensive planning’ consideration during 2014.

## **OTHER BUSINESS**

#### **Membership and Offices**

The Planning Commission is currently short one of the five billets established by ordinance. The current, active members and their terms are as follows:

- Ermete J. Raffaelli, Chairman – reappointed to the Commission, with a term ending April 1, 2016 (Resolution No. 115-2012, October 8, 2012)
- Brian J. Burket, Vice Chairman – appointed to the Commission, with a term ending April 1, 2014 (Resolution No. 108-2010, November 8, 2010)

- Michael E. Lauter, Secretary – reappointed to the Commission with a term ending April 1, 2013 (Resolution No. 76-2011, May 9, 2011)
- Wayne Jonas Bealer, Assistant Secretary – reappointed to the Commission with a term ending April 1, 2018 (Resolution 76-2014, June 23rd)
- William F. Cinfici – appointed to the Commission with a term ending April 1, 2016 (Resolution No. 117-2014, October 27th)

Mr. Burket continued a few months past the expiration of his term, last attending at the August 26th meeting.

### **Community Involvement**

Ermete Raffaelli serves on the board of directors at the South Mountain YMCA. Mr. Raffaelli also serves as the President of Reading Hose Company No. 1.

Michael Lauter serves as the Executive Director of the Centre Park Historic District Inc.

Wayne Bealer serves as the Planning Commission's representative on both the Blighted Property Review Committee and Vending Licensing Board, and serves as Executive Director of the Violence Prevention Center of Berks.

William Cinfici serves on the board of the Italian-American Cultural Center of Pennsylvania.

### **2015 PROJECTIONS**

Between January 5 and 23, 2015, with the assistance of the City's Information Technology Department (IT), the agenda and minutes available on-line – at the Planning Commission's page on the City's website – have been extended back to March 2005. Previously, the on-line record reached only to about 2011, and forward.

The Planning Office continues to schedule the Thursday-morning 'OneStopShop' appointments – an advisory forum offered since early 2006, giving developers an opportunity to consult directly with zoning, planning and building-code officials, and simultaneously – in an attempt to provide early direction and promote better 'first time' applications.

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The Planning Commission will continue to administer the Subdivision and Land Development Ordinance (SLDO), and perform those other functions delegated it by law, ordinance and request.

**City of Reading Planning Commission  
2014 Activity Summary**

<u>DATE</u>	<u>RES#</u>	<u>SUBJECT</u>	<u>ACTION</u>	<u>PLAN BOOK</u>
Jan. 28		- the January 28th meeting was cancelled -		
Feb. 25	n/a	Jet Set Restaurant Parking Area - parking lot land development plan	tabled the parking plan, 4-0	
Feb. 25	n/a	High Tech II Auto Repair - sketch land development plan	heard the sketch presentation	
Feb. 25	1-2014	review the draft November 26, 2013 meeting minutes	approved the November 26th minutes, 4-0	
Feb. 25	2-2014	review the draft 2013 Planning Commission Annual Report	approved the 2013 Annual Report, 4-0	
Feb. 25	n/a	\$303.a.2 review-fate of the 'Reading Downtown Station (Post Office)', 51 North 5th Street	heard the staff presentation	
Mar. 25	n/a	MDJ 23-3-09 District Justice Office - sketch subdivision and land development plan	heard the sketch presentation	
Mar. 25	3-2014	\$508.3 agreement to extension-Jet Set Restaurant Parking Area	agreed to review period extension, 4-0	
Mar. 25	4-2014	review the draft February 25, 2014 meeting minutes	approved the February 25th minutes, 4-0	
Apr. 22	n/a	MDJ 23-3-09 District Justice Office - final subdivision and land development plan	tabled the final plan, 3-0	
Apr. 22	n/a	Homes at Riverside - sketch land development plan	heard the sketch presentation	
Apr. 22	5-2014	\$603.c.2 conditional use review-1233 Green Street (conversion)	recommended City Council's approval, 3-0	
Apr. 22	6-2014	review the draft March 25, 2014 meeting minutes	approved the March 25th minutes, 3-0	
May 27	7-2014	<b>MDJ 23-3-09 District Justice Office - final subdivision and land development plan</b>	approved the final plan, 3-0	<b>withdrawn</b>
May 27	8-2014	\$609.c review-proposed 'alternative-energy' zoning ordinance amendment	made recommendation to City Council, 3-0	
May 27	9-2014	\$513.a approval reaffirmation-Iglesia Cristiana	reaffirmed final plan approval, 3-0	xxx page xxx
May 27	10-2014	\$207 election-2014 Planning Commission office holders	elected the proposed slate, 3-0	
May 27	11-2014	review the draft April 22, 2014 meeting minutes	approved the April 22nd minutes, 3-0	
Jun. 24	12-2014	\$508.3 agreement to extension-Jet Set Restaurant Parking Area	agreed to review period extension, 4-0	
Jun. 24	13-2014	\$303.a.1 review-planned renovations and repairs of the Schlegel Park Pool	recommended project support, 4-0	
Jun. 24	14-2014	\$303.a.1 review-petition to vacate St. George Street (300 block)	recommended City Council's approval, 4-0	
Jun. 24	15-2014	review the draft May 27, 2014 meeting minutes	approved the May 27th minutes, 4-0	
Jul. 22	16-2014	<b>120 &amp; 122 Belvedere Avenue - final land development plan</b>	approved the final plan, 4-0	<b>2014030502</b>
Jul. 22	n/a	Mimmo's Restaurant Additions - final annexation and land development plan	tabled the final plan, 4-0	
Jul. 22	17-2014	\$508.3 agreement to extension-Homes at Riverside	agreed to review period extension, 4-0	
Jul. 22	18-2014	modifications to the 'DoubleTree Hotel & Garage Project' record plan	denied proposed modifications, 4-0	
Jul. 22	19-2014	\$609.c review-proposed zoning ordinance restricting private parking in the Commercial Core	made recommendation to City Council, 4-0	
Jul. 22	20-2014	\$303.a.1 review-petition for a stop sign at the intersection of West Greenwich and Tulpeho	made recommendation to City Council, 4-0	
Jul. 22	21-2014	\$303.a.1 review-Schuylkill River Trail alignment, the Riverfront Drive to Buttonwood Street	recommended project support, 4-0	
Jul. 22	22-2014	review the draft June 24, 2014 meeting minutes	approved the June 24th minutes, 4-0	
Aug. 26	n/a	Reading Overhead Door-Proposed Storage Building - final annexation and land development	tabled the final plan, 4-0	
Aug. 26	n/a	Fritz Island WWTW Facilities Upgrade Project - final land development plan	tabled the final plan, 4-0	
Aug. 26	n/a	modifications to the 'DoubleTree Hotel & Garage Project' record plan	heard the applicant's presentation	
Aug. 26	23-2014	\$603.c.2 conditional use review-246 North 9th Street (temporary shelter)	recommended City Council's approval, 4-0	

**City of Reading Planning Commission  
2014 Activity Summary**

Aug. 26	24-2014	review the draft July 22, 2014 meeting minutes	approved the July 22nd minutes, 4-0
Aug. 26	25-2014	\$513.a approval reaffirmation-Iglesia Cristiana	reaffirmed final plan approval, 4-0      xxx page xxx
Sep. 23	n/a	Pendora Park Olivet Boys & Girls Club - preliminary land development plan	tabled the preliminary plan, 3-0
Sep. 23	n/a	Mimmo's Restaurant Additions - final annexation and land development plan	tabled the final plan, 3-0
Sep. 23	26-2014	\$508.3 agreement to extension-Mimmo's Restaurant Additions	agreed to review period extension, 3-0
Sep. 23	27-2014	<b>Reading Overhead Door-Proposed Storage Building - final annexation and land developm</b>	approved the final plan, 3-0      xxx page xxx
Sep. 23	28-2014	\$603.c.2 conditional use review-321 North 8th Street (conversion)	recommended City Council's denial, 3-0
Sep. 23	29-2014	\$603.c.2 conditional use review-139 South 10th Street (conversion)	recommended City Council's denial, 3-0
Sep. 23	30-2014	\$603.c.2 conditional use review-714 Franklin Street (boarding house)	recommended City Council's denial, 3-0
Sep. 23	31-2014	\$508.3 agreement to extension-Jet Set Restaurant Parking Area	agreed to review period extension, 3-0
Sep. 23	32-2014	\$508.3 agreement to extension-Homes at Riverside	agreed to review period extension, 3-0
Sep. 23	33-2014	review the draft August 26, 2014 meeting minutes	approved the August 26th minutes, 3-0
Oct. 28	34-2014	<b>Mimmo's Restaurant Additions - final annexation and land development plan</b>	approved the final plan, 2-1      xxx page xxx
Oct. 28	35-2014	Homes at Riverside - preliminary land development plan	approved the preliminary plan, 2-1
Oct. 28	36-2014	\$508.3 agreement to extension-Fritz Island WWTP Facilities Upgrade Project	agreed to review period extension, 3-0
Oct. 28	37-2014	review the draft September 23, 2014 meeting minutes	approved the September 23rd minutes, 3-0
Nov. 25	38-2014	Pendora Park Olivet Boys & Girls Club - preliminary land development plan	tabled and extended the review period, 4-0
Nov. 25	39-2014	\$508.3 agreement to extension-Fritz Island WWTP Facilities Upgrade Project	agreed to review period extension, 4-0
Nov. 25	40-2014	review the draft October 28, 2014 meeting minutes	approved the October 28th minutes, 4-0
Dec. 23	41-2014	<b>Fritz Island WWTP Facilities Upgrade Project - final land development plan</b>	approved the final plan, 4-0      xxx page xxx
Dec. 23	42-2014	Jet Set Restaurant Parking Area - parking lot land development plan	tabled and extended the review period, 4-0
Dec. 23	43-2014	\$603.c.2 conditional use review-1537 Perkiomen Avenue (conversion)	recommended City Council's denial, 4-0
Dec. 23	44-2014	\$603.c.2 conditional use review-922A Franklin Street (conversion)	recommended City Council's denial, 4-0
Dec. 23	45-2014	\$603.c.2 conditional use review-1141 North 9th Street (conversion)	made recommendation to City Council, 4-0
Dec. 23	46-2014	\$603.c.2 conditional use review-231 South 4th Street (conversion)	recommended City Council's approval, 4-0
Dec. 23	47-2014	\$513.a approval reaffirmation-Reading Overhead Door-Proposed Storage Building	reaffirmed final plan approval, 4-0      xxx page xxx
Dec. 23	48-2014	\$513.a approval reaffirmation-Iglesia Cristiana	reaffirmed final plan approval, 4-0      xxx page xxx
Dec. 23	49-2014	review the draft November 25, 2014 meeting minutes	approved the November 25th minutes, 4-0

n/a = no action, not applicable, or not assigned

xxx page xxx = recording required